

## ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0035 – McLaurin Rezone

DISTRICT: 5

ZONING FROM: DR

TO: SF-3

ADDRESS: 1512 Damon Road

SITE AREA: 0.748 acres (32,582 square feet)

PROPERTY OWNERS: Erich Daniel McLaurin and Olivia Ann McLaurin

AGENT: Masterplan (Karen Wunsch)

CASE MANAGER: Wendy Rhoades (512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov))

STAFF RECOMMENDATION:

**The Staff recommendation is to grant family residence (SF-3) district zoning.** *For a summary of the basis of Staff's recommendation, see case manager comments on page 2.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**May 18, 2021: APPROVED SF-3 DISTRICT ZONING, AS STAFF RECOMMENDED, BY CONSENT**

***[H. SMITH; D. KING -2<sup>ND</sup>] (9-0) A. DENKLER – NOT YET ARRIVED; ONE VACANCY ON THE COMMISSION***

CITY COUNCIL ACTION:

**June 10, 2021:**

ORDINANCE NUMBER:

ISSUES:

The residents of Damon Road support the proposed rezoning. Please refer to correspondence attached at the back of this report.

CASE MANAGER COMMENTS:

The subject undeveloped tract is located at the terminus of Damon Road on a platted, unbuilt cul de sac, and zoned development reserve (DR) district. Damon Road contains several single family residences on standard lots zoned DR upon annexation in the mid-1980s. There are large tracts to the north that have frontage on Albert Road (DR) and a condominium development under construction to the south which takes its primary access to Dittmar Road further south (SF-6-CO). The Union Pacific Railroad tracks border this

property to the west. ***Please refer to Exhibits A (Zoning Map), A-1 (Aerial Exhibit) and B (Adjoining Subdivision Plat).***

The Applicant has requested family residence (SF-3) district zoning in order to build two residences on the property.

**BASIS OF RECOMMENDATION:**

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The family residence (SF-3) district is the designation for a moderate density single-family residential use and a duplex use on a lot that is a minimum of 5,750 square feet. An SF-3 district designation may be applied to a use in an existing single-family neighborhood with moderate sized lots or to new development of family housing on lots that are 5,750 square feet or more. A duplex use that is designated in an SF-3 district is subject to development standards that maintain single-family neighborhood characteristics.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The requested SF-3 zoning would allow for two residences on the property. Staff recommends the Applicant's request because the tract meets the intent of the SF-3 district as it fronts on a local residential street and is located within an existing single family residential neighborhood.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	DR	Undeveloped
<i>North</i>	DR	Single family residences and outbuildings on large tracts
<i>South</i>	SF-6-CO	Condominiums (under construction)
<i>East</i>	DR	Single family residences
<i>West</i>	Not Applicable	Union Pacific Railroad right-of-way and tracks

**NEIGHBORHOOD PLANNING AREA:** Not Applicable

**TIA:** Is not required

**WATERSHED:** Williamson Creek – Suburban

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**SCHOOLS:** Casey Elementary School    Bedichek Middle School    Akins High School

NEIGHBORHOOD ORGANIZATIONS:

39 – Matthews Lane Neighborhood Association      511 – Austin Neighborhoods Council  
 627 – Onion Creek Homeowners Association      742 – Austin Independent School District  
 1228 – Sierra Club, Austin Regional Group      1363 – SEL Texas  
 1429 – Go!Austin/Vamos!/Austin (GAVA)-78745  
 1528 – Bike Austin      1530 – Friends of Austin Neighborhoods  
 1531 – South Austin Neighborhood Alliance (SANA)  
 1550 – Homeless Neighborhood Association  
 1596 – TNR BCP – Travis County Natural Resources  
 1616 – Neighborhood Empowerment Foundation      1774 – Austin Lost and Found Pets

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2021-0060 – Albert Road Rezone – 7401 and 7407 Albert Rd	DR to SF-3	Scheduled for 6-1- 2021	To be scheduled for 7-29-2021
C14-2012-0042 – 1300 W. Dittmar Road Rezoning	SF-6-CO to SF- 6-CO to remove the CO that limits height for a building or structure to 20'	To Grant	Apvd (8-2-2012).
C14-05-0091 – Lelah's Crossing – 1300 W. Dittmar Rd.	DR; GO to MF-1	To Grant SF-6-CO with a density limitation of 6 u.p.a. and height limit of 20 feet; Restrictive Covenant for the Neighborhood Traffic Analysis	Apvd SF-6-CO with a Restrictive Covenant for the Neighborhood Traffic Analysis, as ZAP recommended (4-27-2006).
C14-85-055 (RCA) – Lelah's Crossing – 1300 W. Dittmar Rd.	To amend the RC to delete the rollback provision to RR, rural residence zoning	To Grant	Apvd (4-27-2006).

RELATED CASES:

The property was annexed into the City limits on November 15, 1984 (C7A-83-017).

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Damon Road	88 feet (cul de sac)	0	Level 1	No	None	No

OTHER STAFF COMMENTS:Capital Metro

*This notice concerns all proposed development within 500-feet of the Capital Metro Rail Tracks*

Capital Metro runs freight service on these tracks and is required to continue to do so as a matter of federal law. Since March 22, 2010, we are operating passenger rail service, primarily, but not limited to, weekday hours. With the start of passenger rail service, we have shifted freight rail service to other times, particularly the hours after the last passenger train has run. This shift is in accordance with Federal regulations and safety procedures.

All concerned parties need to be aware of the freight service in planning any development. The freight trains generate some noise as they move through. At many urban street crossings, there are upgraded signal systems with crossing arms to block the roadway. This allows the City of Austin the ability to apply for a “quiet zone” meaning that the train will not blow its horn, under normal operations, as it moves through the street. At other crossings, the freight train will blow the horn, which is approximately 96 decibels. At any time, if the engineer judges it to be prudent, the horn will be sounded as needed for safe operation.

Capital Metro strives to provide the community with the best passenger and freight service possible. We also try to be sure that all of our neighbors are aware of both our present and possible future operations.

Comprehensive Planning

This rezoning case is located at the terminus of Damon Road, on approximately 0.75 acre property, which is undeveloped, is not located within a small planning area or located near an Activity Corridor or Center. Surrounding use include undeveloped land and single family houses to the north; to the south is undeveloped land and a condominium development under construction; to the east are single family houses; to the west is the Union Pacific railroad tracks, single family houses, a condo complex and an office building. The proposed use is to construct two single family houses.

**Connectivity**

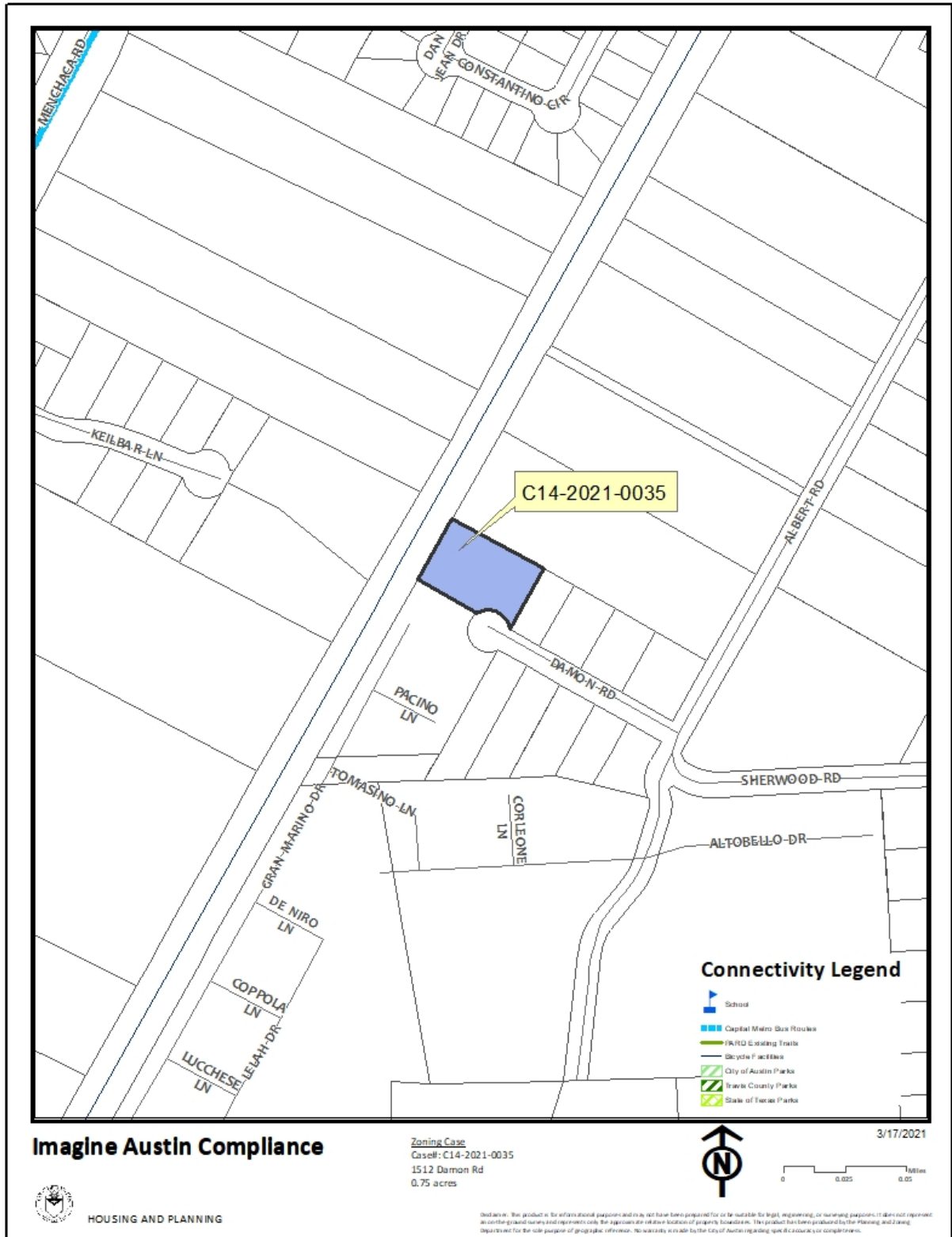
There are no public sidewalks, bike lanes or public transit stops within at least a half of a mile of this site. Mobility and connectivity options are below average in the area.

**Imagine Austin**

The following Imagine Austin policies are applicable to this case:

- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- **HP P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

Based on the existence of single-family housing along this street but the below average mobility and connectivity options in the area, this proposal supports the Imagine Austin Comprehensive Plan.



### Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

### Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

### Impervious Cover

The maximum impervious cover allowed by the *SF-3* zoning district would be 45%, which is based on the more restrictive zoning regulations.

### PARD – Planning & Design Review

Parkland dedication will be required for the new residential units proposed by this development, family residence with SF-3 zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: [thomas.rowlinson@austintexas.gov](mailto:thomas.rowlinson@austintexas.gov). At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

### Site Plan and Compatibility Standards

Rezoning from DR to SF-3 does not trigger the application of compatibility standards.

The applicable building standards are outlined below:

Breakdown by square footage for living area/garage/patio/porch is required on duplex residential site plans.

Setbacks for duplex residential:

- Anything that juts more than 5 feet into a setback must be fireproofed. Standard side setback is 5 feet with a maximum allowable 2-foot overhang. The overhang cannot have any openings, soffit vents, windows, etc.
- Setbacks between buildings is 10 feet (5 feet on each side). Any encroachment into this setback must be fireproofed.
- Nothing can encroach into a 2-foot setback.

### Transportation

No further right-of-way is required for Damon Road.

There is a proposed Urban Trail adjacent to the western boundary of this site along the UPC/ASA rail line.

### *Transportation Assessment*

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113.



Austin Water Utility

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7<sup>th</sup> Floor. Ph: 512-972-0211.

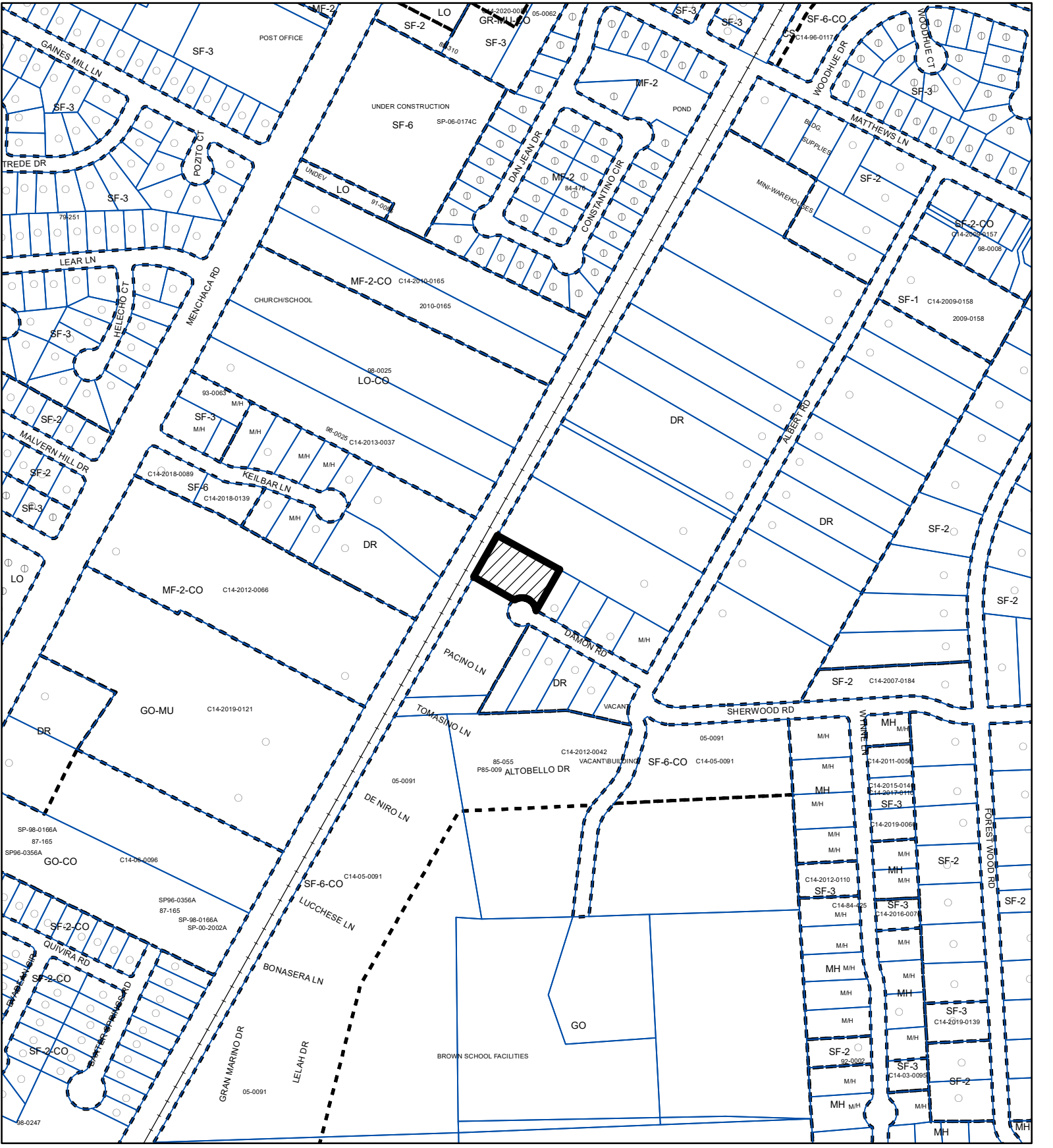
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

## INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map

A-1: Aerial Map

B: Adjoining Subdivision Plat (C8-1952-2062)






**ZONING**

**Exhibit A**

**ZONING CASE#: C14-2021-0035**



-  **SUBJECT TRACT**
-  **PENDING CASE**
-  **ZONING BOUNDARY**

1" = 400'

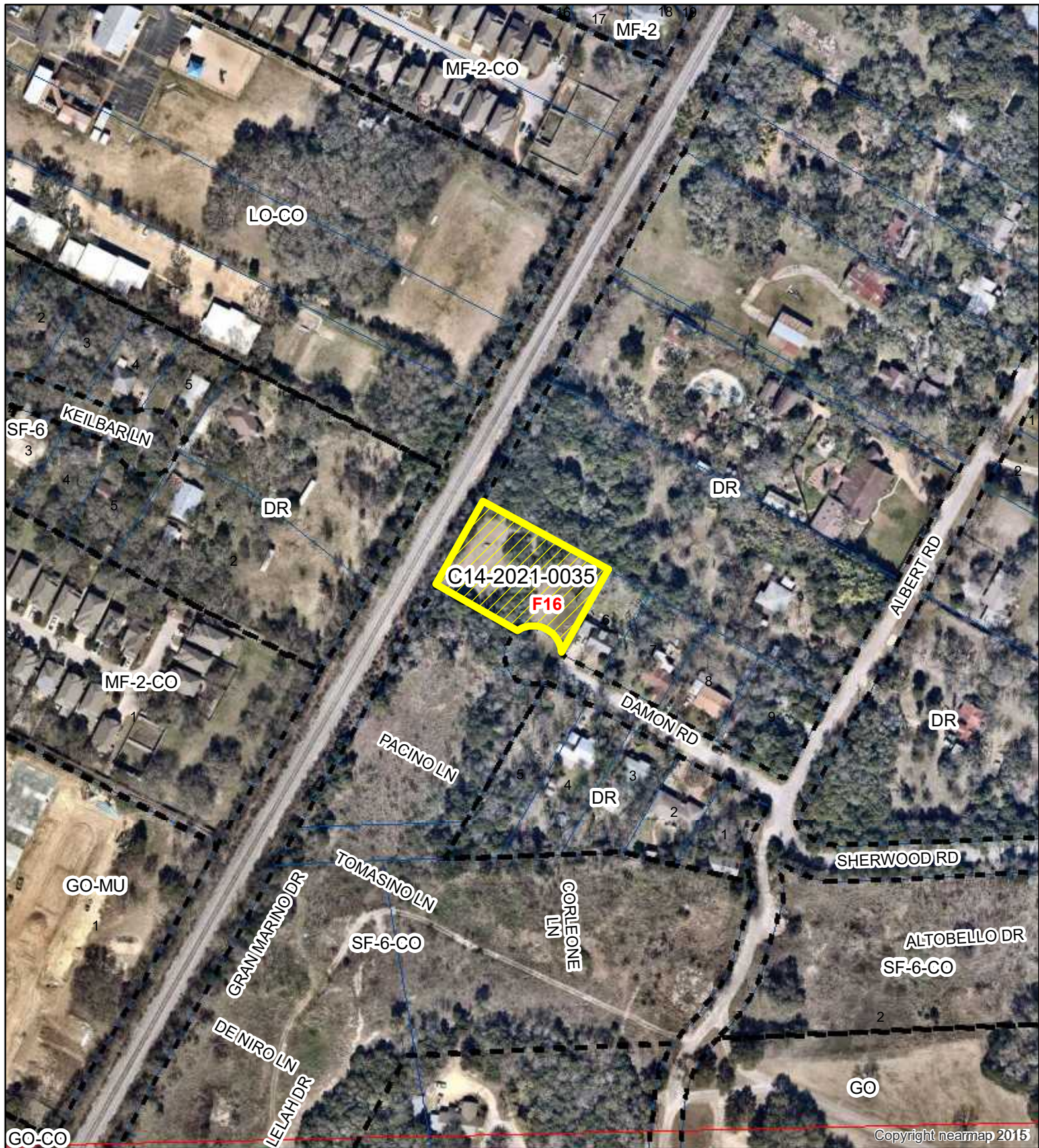
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



**Created: 3/16/2021**





Copyright nearmap 2015



1" = 200'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

### McLaurin Rezone

### Exhibit A - 1

ZONING CASE#: C14-2021-0035  
 LOCATION: 1512 Damon Rd  
 SUBJECT AREA: 0.748 Total Acres  
 GRID: F16  
 MANAGER: Wendy Rhoades



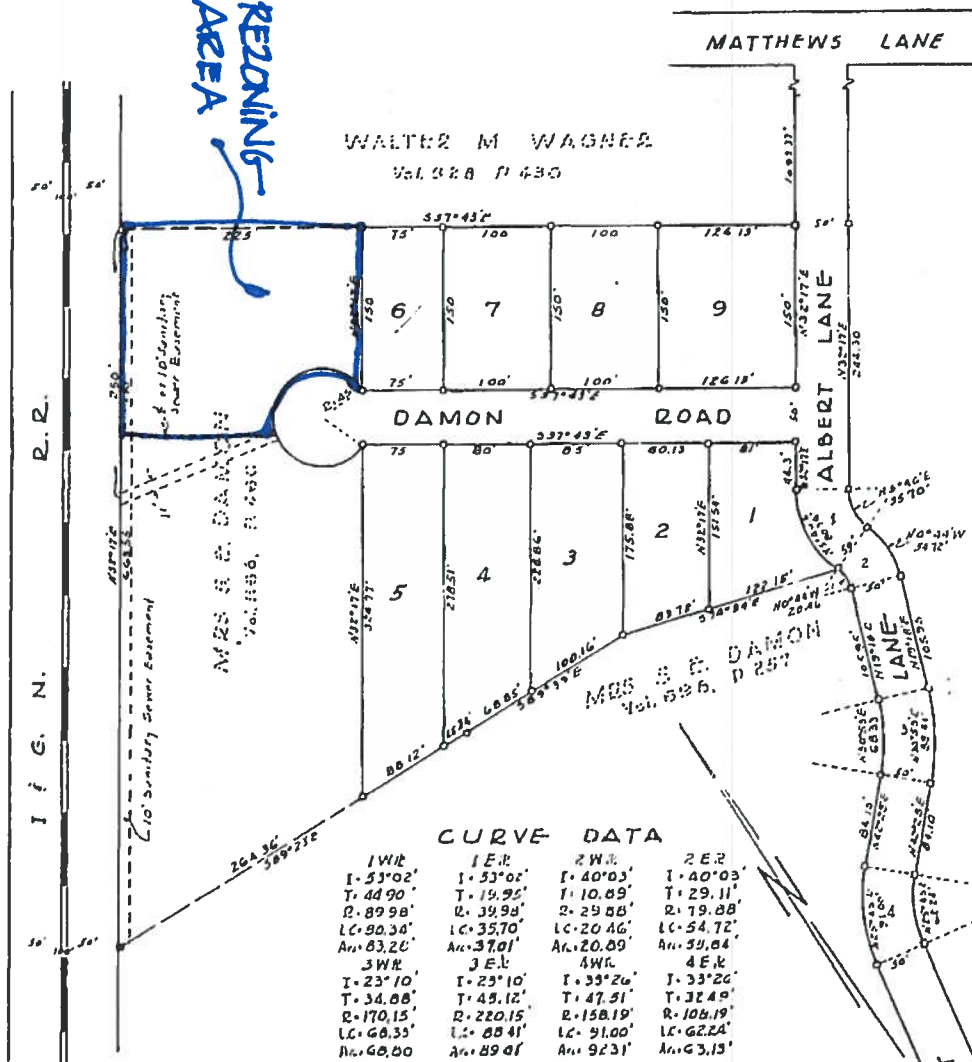
This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



# DAMON

# SUBDIVISION

REZONING  
AREA



THE STATE OF TEXAS  
COUNTY OF TRAVIS) Know All Men By These Presents:  
That I Mrs. S.E. Damon, a widow, sole owner of the herein described 4.99 acre tract of land out of the Elm Canyon League in Travis County, Texas, and being the same property conveyed to me by deed of record in Vol. 1160, P 460-462 of the Deed Records of Travis County, Texas, a portion of the property conveyed to me by deed of record in Vol. 698, P 257 of the Deed Records of Travis County, Texas, do hereby adopt this map or plat as my subdivision to be known as DAMON SUBDIVISION, and I do hereby dedicate to the public all streets shown on said map or plat as far as my interest may appear.

IN WITNESS WHEREOF I have hereunto set my hand this the 2nd day of April, A.D. 1952.  
Mrs. S. E. Damon  
Mrs. S. E. Damon a widow

THE STATE OF TEXAS  
COUNTY OF TRAVIS) Before me the undersigned authority, on this day personally appeared Mrs. S. E. Damon, a widow, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 2nd day of April, A.D. 1952.  
Notary Public in and for Travis County, Texas

APPROVED FOR ACCEPTANCE  
Date 6-24-52  
City Engineer

APPROVED BY CITY PLANNING COMMISSION  
Date 4-24-52  
Chairman  
Secretary

FILED FOR RECORD  
Attest, Clerk, A. 102 day of August, A.D. 1952  
Clerk County Court, Travis County, Texas

THE STATE OF TEXAS  
COUNTY OF TRAVIS) I, Miss Emily Limberg, Clerk of the County Court, within and for the County and State aforesaid do hereby certify that the within and foregoing instrument of Writing with its Certificate of Authentication was filed for record in my office on the 2nd day of August, A.D. 1952 at 11:08 o'clock A.M. and duly recorded on the 2nd day of August, A.D. 1952 at 11:39 o'clock A.M. in the Plat. & Records of said County in Book 6, Page 420.  
WITNESS MY HAND AND SEAL OF the County Court of said County, this date last written above.

NOTE: Each house in this subdivision shall be connected to a septic tank of a type approved by the State Health Dept.

LEGEND  
as I.P. Set  
as C.M. Set

SURVEYED BY

D. P. Schellfield

4/22/52

68-1952-2062

EXHIBIT B  
ADJOINING SUBDIVISION

In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all streets, roads and other public thoroughfares delineated and shown on this plat and all bridges and culverts necessary to be constructed or placed in such streets, roads or other public thoroughfares, or in connection therewith, shall be the responsibility of the owner and/or the developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas, and the Commissioners Court of Travis County, Texas, assumes no obligation to build the streets, roads and other public thoroughfares shown on this plat or of constructing any bridges or culverts in connection therewith.

THE STATE OF TEXAS  
COUNTY OF TRAVIS) I, Miss Emily Limberg, County Clerk of Travis County, Texas, do hereby certify that on the 30th day of July, A.D. 1952, the Commissioners Court of Travis County, Texas, passed an order authorizing the filing for record of this plat and that said order has been duly entered in the minutes of said Court in Book 1, Page 420.  
WITNESS MY HAND AND SEAL OF OFFICE this the 30th day of July, A.D. 1952.

**From:** [Mr. Sutton](#)  
**To:** [Rhoades, Wendy](#)  
**Subject:** C14-2021-0035 McLaurin Rezone  
**Date:** Tuesday, May 18, 2021 5:19:50 PM

---

\*\*\* External Email - Exercise Caution \*\*\*

Damon residents are informed of this process and are in agreement for the Rezoning.

Thanks

Eugene Sutton  
1505 Damon  
512 441 1567

[Sent from AT&T Yahoo Mail on Android](#)

**CAUTION:** This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to [cybersecurity@austintexas.gov](mailto:cybersecurity@austintexas.gov).